



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.




Dave Freudenthal, Governor

John Corra, Director

MEMORANDUM

To: Whom it May Concern

From: Todd Parfitt, NPDES Program Manager 

Date: September 22, 2004

Subject: Clarification of the Integration of Groundwater Monitoring Requirements for CBM Ponds into the NPDES Permitting Process

This memorandum replaces the July 30, 2004 "Clarification of the Integration of Groundwater Monitoring Requirements for CBM Ponds into the NPDES Permitting Process" memorandum.

On June 14, 2004 the Department of Environment Quality (WDEQ), Water Quality Division (WQD) presented its approaches for CBM Watershed Based Permitting and Groundwater Monitoring Requirements for CBM ponds. Since that time several questions have been raised regarding the implementation of the groundwater monitoring approach.

This document is being provided to clarify how the groundwater monitoring requirements for CBM ponds will be integrated into the NPDES permitting process.

A. For Individual Permits

1. Permit applications received and public noticed on or after August 1, 2004 must comply with the "Compliance Monitoring for Ground Water Protection Beneath Unlined Coalbed Methane Produced Water Impoundments" (the Guideline) before the WDEQ will sign the NPDES permit. Produced water may not be discharged to the surface without an NPDES permit for the discharge signed by the WDEQ Director.
2. Compliance with the Guideline will be determined by the WQD Groundwater Pollution Control (GPC) program.
3. Permit applications received and public noticed before August 1, 2004 will be processed and routed for signature irrespective of the status of other WQD requirements.



4. The WQD does not intend to make the groundwater compliance monitoring a condition of the permit application.
5. The GPC program will determine the appropriate regulatory requirements for groundwater monitoring and reporting. Compliance with any groundwater monitoring or reporting requirements will be administered by the GPC program.

B. For General Permits

1. Permit authorizations that have not been approved and signed by the NPDES program prior to August 1, 2004, must comply with the Guideline before the WDEQ will sign the NPDES permit authorization. Produced water may not be discharged to the surface without an NPDES permit authorization signed by the WQD Administrator or NPDES program staff.
2. Use of the Coal Bed Methane General Permit for Temporary Discharges for Drought Relief will be subject to the requirements of B.1. above.
3. Use of the Coal Bed Methane General Permit for ground water quality characterization, if deemed necessary and appropriate by the WQD, will be limited to no more than 15 days of discharge and will not be subject to the conditions of B.1. above.

Additional questions regarding the integration of groundwater monitoring requirements for CBM ponds into the NPDES permitting process may be directed to me at 307-777-6709 or tparfi@state.wy.us or to Kevin Frederick, GPC Program Manager at 307-777-5985 or kfrede@state.wy.us.

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cc: John Wagner, WQD Administrator
Kevin Frederick, GPC Program Manager